

McMorin College 2

1861-1919

(016)

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AN ACT TO INCORPORATE MORRIN COLLEGE AT QUEBEC

(Assented to 18th May, 1861)

Preamble

WHEREAS by a certain deed of gift made by Joseph Morrin, of the City of Quebec, Physician and Surgeon, and passed before William Bignall, and his colleague, Notaries Public, residing at the said city, and bearing date the twenty-sixth day of September, in the year of our Lord, one thousand eight hundred and sixty, it is expressed that the said Joseph Morrin thereby gave, assigned, and made over unto the Reverend John Cook, Doctor in Divinity, William Stewart Smith, Doctor of Laws, and James Dean, senior, Merchant, all of the said city, and to the survivor or survivors of them, and the heirs and assigns of such survivor or survivors, certain immoveable properties and sums of money therein described and mentioned;

AND WHEREAS, by another deed, executed by the same parties, on the same day and before the same Notaries, the said parties after reciting that the said Joseph Morrin was desirous of leaving some permanent memorial of his regard for the city of Quebec, of which he had been a citizen for more than fifty years, and over which he had twice had the honor of presiding as Chief Magistrate, and at the same time of marking his attachment to the Church in which he was reared, and to which he had always belonged, and considered that none could be more suitable for both purposes than a provision for increasing and rendering more perfect the means of obtaining for the youth generally, and especially those who may devote themselves to the Ministry of the said Church, the means of obtaining a liberal and enlightened education, - declared that the said deed of gift was made in trust for the purpose of carrying into

effect the wishes of the said Joseph Morrin, by founding and establishing, within the city or banlieue of Quebec, under an Act of Incorporation, for which the said donnees should apply at the then next meeting of the Provincial Parliament, and which should contain, among others, certain provisions hereinafter made, a College for the instruction of youth in the higher branches of learning, and especially for young men intended for the ministry of the Church of Scotland, in Canada;

AND WHEREAS the said donnees have accordingly applied to the Legislature for such Act of Incorporation, and it is expedient to grant their prayer:

THEREFORE, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:-

I. There shall be and there is hereby constituted and established in the city or banlieue of Quebec, in Lower Canada, a body politic and corporate, under the name of MORRIN COLLEGE, which corporation shall consist of the following members, who shall be called Governors of the said College, that is to say:

Morrin College incorporated, Corporation to consist of Members to be called Governors.

Who shall be such First - The said Reverend John Cook, the present Governor. M Minister of St. Andrew's Church at Quebec, who shall, during his pleasure, and whether he be or be not then such Minister, be the first Principal of the said College, with the right to choose for himself and hold any Professorship therein, and shall, when present at any meeting of the Governors, be the Chairman thereof;

Secondly - The Minister of St. Andrew's Church / aforesaid for the time being;

Thirdly - The said William Stewart Smith, who shall be the first Professor of Classical Literature in the said College;

Fourthly - Daniel Wilkie, of Quebec, Esquire, who shall be Secretary-Treasurer of the said College, with such remuneration as the Governors see fit;

Fifthly - Two Ministers from the Synod of the Presbyterian Church of Canada in connexion with the Church of Scotland, to be chosen by the Synod, on the second day of its annual meeting, and to hold office one year, and until others are appointed in their stead;

Sixthly- An Elder of St. Andrew's Church aforesaid, to be elected by the Session, and to hold the office for life, or so long as he remains such Elder;

Seventhly - A Trustee of St. Andrew's Church aforesaid, to be elected by the Trustees of the said Church, for life, or so long as he remains such Trustee;

Eighthly - James Dean, senior, Esquire, Alexander Rowand, M.D., James Dean, junior, Esquire, Frost Wood Gray, Esquire, Andrew Thompson, Esquire, and John Wilson Cook, Esquire, who shall be Governors for life.

2. Vacancies among the Governors who are not such ex officio, and for the election of whose successors no other provision is herein made, shall, as they occur, be filled up by the said corporation, who shall appoint proper persons as Governors to fill such vacancies, but such persons shall be members of the Presbyterian Church of Canada in connexion with the Church of Scotland, or in the event of the union of that Church with any other Presbyterian body or bodies, then members of the United Church; and the number of Governors shall never exceed fourteen.

3. Any Governor, ex officio, shall cease to be

Governors ceasing to hold the re- quisite of- fice or re- signing.	such on his ceasing to hold an office to which such Governorship is attached; and any other Governor may resign his office as such, by a resignation in writing under his hand addressed to the corporation.
Temporary va- cancies not to invalide- te Acts of the Corpo- ration.	4. The Governors for the time being shall form the corporation, whose acts shall not be invalidated by any temporary vacancy therein; and the said corporation shall have full power, from time to time, to make and establish such by-laws and rules and regulations, (not being inconsistent with the laws of Canada, or with this Act), as they shall think proper, as well concerning the system of education in, as for the conduct or institu- tion connected with or dependent on the same, and of the corporation thereof, and for the superintendence and management of all the property, moveable and immoveable, belonging to the corporation, and shall have power to take under any legal title whatever, and to hold for the use of the said College, without any further authori- ty, license, or letters of mortmain, all lands and other property, moveable or immoveable, which may here- after be sold, ^c deded, given, bequeathed, or otherwise granted to the said corporation, and the same to sell, alienate and convey, let or lease, whenever need shall be.
Corporate Powers	
By-laws	
Property	
Property vested in Corporation	5. Such title to the property, moveable and immoveable, as was conveyed by the said Joseph Morrin, to the said John Cook, William Stewart ^{Smith} ~~White~~ , and James Dean, senior, by the deed of gift hereinbefore mentioned, shall be, and is hereby transferred to, and vested in the said corporation, subject to the following conditions:- <u>First</u> - The said trustees John Cook, William Stewart Smith, and James Dean, senior, may purchase for the
Conditions	

Purchase
of site

corporation, within the city or banlieue of Quebec a site for the erection of proper buildings for the said College;

Accommoda-
tion for
High School

Secondly - Ample accommodation shall be provided in the College building for the High School of Quebec, if the Corporation thereof shall elect to receive the same free of all charge, on condition that the said High School shall be subject to the government of the corporation of the said College, and ancillary to it; but the Governors of the said College may, at any future time, have the School and College in separate buildings, if they deem it for the advantage of the said institutions;

Provision
for
W.S. Smith

Thirdly - In case the said William Stewart Smith, should from ill-health, or otherwise, be prevented from fulfilling the duties and receiving the emoluments of the office of first Professor of classical literature of said College, the Governors thereof shall, in accordance with the wish of the said Joseph Morrin, make such reasonable allowance for his support, as his circumstances and the funds at their disposal may warrant.

Quorum of
Governors

6. The quorum of Governors, at meetings of the corporation, ~~may~~ be from time to time fixed by the by-laws thereof, but shall not be less than five, which number shall be the quorum, unless and until it is otherwise provided by by-law; and a majority of such quorum may exercise all the powers of the corporation, except in so far as it is otherwise expressly provided by this Act or by by-law.

Application
of College
Revenues

7. All the property at any time belonging to the said corporation, and the revenues thereof, shall, at all times, be exclusively applied and appropriated to the advancement of education in the said College and to no other object, institution or establishment whatever

unconnected with or independent of the same.

The College
may be af-
filiated to
certain
Colleges

8. The said Morrin College may, at any time become affiliated to the University of Queen's College, Kingston, or to the University of Toronto, or to the University of McGill College, upon such terms as the said College and such University may agree upon.

Act no to
affect the
title under
the Deed
of Gift

9. Nothing in this Act shall be so construed as to give to the deed of gift hereinbefore mentioned any validity which does not otherwise belong to it.

Public Act

10. This Act is a Public Act, and the Interpretation Act applied to it.

(Act 24 Vic., Cap. CIX)

AMENDMENT

An Act to amend the Act 24 Victoria, Chapter 109,
to incorporate Morrin College, Quebec

(Assented to 27th May, 1882)

Preamble

WHEREAS it has been represented that Morrin College, Quebec, is hindered in its usefulness and its very existence imperilled by being unable to confer degrees in Divinity upon its students, and that it would be materially assisted in the purposes for which it was founded, if permission were granted to it to confer such degrees; and whereas by petition it has prayed for an amendment to its charter to that effect, and it is expedient to grant the prayer of the said petition:

THEREFORE, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Power of Theological Faculty to confer degrees in Divinity 1. The Theological Faculty of Morrin College shall have power to confer the degrees of Bachelor of Divinity and Doctor in Divinity, subject to such regulations and examinations as may be imposed by the said Faculty.

2. The said Theological Faculty shall have power to make by-laws and regulations, touching any matter or thing pertaining to the conditions on which the said degrees of Bachelor of Divinity and Doctor of Divinity may be conferred, whether the said degrees be such as are gained in course or by examination or such as are honorary, or whether they be conferred on matriculants of the said Morrin College or other persons, and to repeal or amend such by-laws or regulations and to make others in their stead, when and as the said Theological Faculty may see fit.

AMENDMENT

(2)

24 Vic
cap 109 to
be read as
one act with
the present.

3. This act shall be read and construed with the said Act 24 Victoria, Chapter 109, hereby amended, as forming part thereof.
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(Act 45 Victoria, Cap. XC)

(1) In the event of the Morrin Collage closing, the funds now herein given shall be devoted to Protestant education or to some other public protestant object in the city of Quebec in the manner to be hereafter determined by the Board of Governors and the said Frank Ross, his heirs and executors.

(2) The Minister of Chalmers Church for the time being shall be ex-officio a Governor.

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At London, Ontario, and
within St. Andrew's Church there, the
Thirteenth day of June, one
thousand nine hundred and eighteen
years, which day the General
Assembly of the Presbyterian
Church in Canada being met
and constituted.

Inter Alia On recommendation of the Board of
Education, it was resolved, -

That the Assembly endorse the
action of the Board of Home Missions
and Social Service in its efforts to
procure Protestant educational fac-
ilities in Quebec, for the scattered
Protestant families, and recommend
that Sir Robert Falconer (Chairman)
Rev. Dr. Herridge, Principal Fraser, Rev.
George Duncan, Principal Dyde and
Dr. Hamilton Cassels be appointed a
Committee to confer with the Board of
Governors of Morrin College Quebec,
as to the extent to which that College can
provide these facilities.

Extracted from the Records of the General
Assembly of the Presbyterian Church in Canada,
by Robert Campbell
Joint Clerk of Assembly,

Quebec, Que.

67 Ste. Ursule St.

Jan. 21, 1919.

Sir Robert Falconer, Principal Toronto University.

Dear Sir Robert Falconer;-

I wish to lay before you the cause of Education in Quebec City; and also to solicit your aid. I do so because you are an Educationist; 2) a Presbyterian. And Presbyterianism like all protestantism is being slowly wiped out in Quebec. And some of us think our one hope is education. Sir Charles Fitzpatrick thinks that alone will save the English speaking from extinction. 3) You were appointed the Con'vr of a Com. by the last Assembly to look into certain of our Institutions, one of which is Morin College. This College has buildings valued at \$75,000. It has an Endowment Fund of nearly \$125,000, which when not used in the interests of the College is to be applied to protestant education. The Assembly appoints two members to the Board of Governors of Morin College; but that Board has not met for years. Surely the Assembly should see that its interests in that College are properly safeguarded; and that Presbyterians derive from it all the advantages it has for them. \$1750.00 of the income is given to help maintain a wretched Boy's High School. One of the poorest schools if not the very worst in the Dominion.

From this date on so far as our church is concerned the money might as well be thrown away; and so far as education is concerned it could be used to far greater advantage.

When I moved here, with the Methodist Minister, I began an agitation for better opportunities for boys. We could do nothing about the Boy's High School, which is a private school. We have induced the

Board of Protestant School Commissioners to open their High School to boys; hitherto they only admitted girls. The experiment is working out well. At present the Staff is composed of women; but next year there will be a headmaster for the boys. What I think Morin College could ^{and should do,} do, is provide the instruction necessary to give Senior Matriculation to McGill or Toronto University- a privelege enjoyed by boys in almost every other large place throughout the dominion. At present we have two High Schools; each school has five pupils ~~in~~ in the Senior grade. 6 Boys; 4 Girls. 10 in all. In the two High Schools there are ~~fewer~~ ^{less} than 45 pupils. Two complete High School Staffs are engaged in teaching these scholars, where one would ~~do~~ do better work - for there would be more competition in the classes; and at half the expense. When I came here last winter I paid \$7.00 a month school fee for the boy in grade 1 X. There are less than 5000 English speaking Protestants in the City. The children of these people attend five different schools. These Schools are managed by four different school boards, who never meet together or co-operate in any way. Three of these schools are within a radius of half a mile. If the schools were properly co-ordinated all duplication and in some instances triplication would be eliminated. A bill is being introduced at the coming session of the Legislature to bring four of these schools under one Board. I hope it will be passed. If now the Governors of Morin college would do their duty in the interest/s of education, I am satisfied all the schools(including the private Boy's High School) would be brought under one board; and we would in a year or two have efficient schools for our children. But it will fall to your com. to galvanize the Board of Morin college into life and action. I enclose for your reading a copy of the act of incorporation of Morin College; also extract from the agreement entered into between the late Mr. Frank Ross and

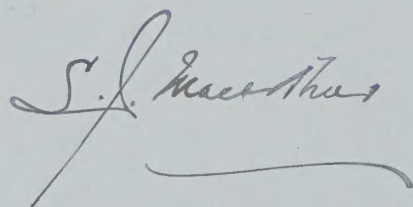
the governors of Morin College respecting the use of the \$125,000 they obtained from him.

You will observe that that agreement makes the minister of Chalmers² Church ex-officio a member of the board of governors. I have been here over a year; and but for the receipt of this extract from Mr. Frank W. Ross I should still be in ignorance of the fact that I was in any way responsible for the Morin College Trust.

If these papers are of any value to you, you can retain them until you come to Quebec with your Com.

It is not too late I presume to wish you the season's Compliments and many happy returns.

I am yours truly,

A handwritten signature in cursive script, reading "S. J. MacArthur". The signature is written in dark ink and is followed by a long, horizontal flourish line.

string to his gift as there was of the
Morris bequest viz, that the money
which should be for the advantage
of the City of Quebec.

From time to time the General Assembly
was exercised about the propriety
of the College.

In 1898, (Minutes of that year pp 15, 6)
the report presented to the Assembly
by Principal Macrae caused the As-
sembly to appoint a special Committee
which reported in 1899 (Minutes pp 36, 191)
No report was presented to the As-
sembly in 1900, 1901 or 1902. In the
latter year Principal Macrae moved the
appointment of another special Com-
mittee (Minutes pp 28, 29) Owing to death
of Dr. Thompson no report was presented
by this Committee in 1903 (Minutes pp 64)
No report was presented in 1904, but a
new Committee was appointed (Minutes
pp 31, 39) That Committee reported in
1905 (Minutes pp 55, 640)

The Assembly received the report

Montreal, Feb 7th 1919

My dear Sir Robert

I am in receipt of yours of
the 29th ult. re Morris College.

I find that it was on my own
motion, as a member of the Synod of
the Church of Scotland, on June 9th,
1863, that Morris College received
recognition by the Synod as a suf-
ficiently equipped institution for
training candidates for the Ministry,
and I have been familiar with its
history from that date till now.

Efforts had been made to get Dr.
Morris, the founder of the College, to make
over the money to Queen's College, instead
of starting a new institution; but in vain.
He desired that Quebec City should

receive the advantages of the institution; and the ~~deed~~ of ~~most~~ ~~slip~~ ~~lated~~ that it should be in Quebec or its environs. It is important that this fact be kept in mind, as attempts were made some years ago to transfer part at least of the Capital of Morrin College to one of the other Theological colleges of the Church. The College Board opposed the recommendation.

Quebec City was, in 1863, a very flourishing commercial centre, and Morrin made a fair start, tho' youth of the city, amongst others Dr. Hamilton Baskin, attending its Arts classes. Dr. Cook was a host in himself, a whole body of divinity; and he with Prof. Hatch attended to the theological department. The

college did not turn out many graduates, but they, though few, gave a good account of themselves. As long as Dr. Cook lived a few students were attracted to the College by his strong personality. But when he died, and the city began to decay commercially rapidly, no divinity students any longer attended; and as the English population grew less there were few or no students for the Arts' classes either.

An attempt was made to revive it by the appointment of Dr. McRae, of St. Stephen Church, N. York, as Principal, but though he was an able man success did not follow his installation. About this time, Hon. Mr. Ross gave some \$80,000 to prop up its falling fortunes, but there was a

and ordered it to be printed, but did not formally adopt it. It has simply acquiesced in the contentions of the College Board, as set forth in the Minutes of the last special Committee.

The Assembly continues to appoint two Governors of the College, and that is about all the connection now existing between the College in the Church. Reports of these two Governors you will find Minutes: 1914, p. 56; 1915, ⁸⁷87; 1916, ¹⁶⁴164; 1917, p. 137; 1918, p. 154.

I notified Mr. A. H. Cook, the Chairman of the College Board, of the appointment of the Committee by last Assembly, of which you are Convenor; but I received no reply. The appointment of your Committee

was made, so far as I could understand
at the instance of the Huncellian
Committee on the advice of Superin-
tendent Tanner (Minutes 1918, p. 26)

When the Committee was
named, I called attention to the
report of the Special Committee of
1905. Unless we are prepared to
bring the Board to book, by legal
process, I do not see what we
can do.

Should any other question in
this connection occur to you, that
I can throw light on, I shall be
glad to answer it. If our Minutes are
not in the University Library you may
consult them in Dr. Soule's office.

Yours sincerely,
Robert Campbell
Sir R. A. Falconer, B. Sc.
The University

Morin College

67 Ste. Ursule St.

Quebec, Que.

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June 2, 1919.

Sir Robert Falconer

Dear Sir;-

I have been a long time in answering your letter re Morin College. The Presbyterian Church has a building here. It has or is supposed to have certain endowments. I for one feel that our Church and cause are not deriving the benefit from them which they should.

The Board that is responsible for their administration never meets. I am a member of the Board of Governors. Only by accident did I learn that.

I am convinced a far better use could be made of the property and endowments than is now being made.

The education offered to boys here has been, for some years past, of a very low order.

Because the property and endowments are for purely local purposes does not, it seems to me, free the Assembly from responsibility in the matter. Dr Love is afraid of Mr. A. Cook, who is ^{Chairman of B. of G.} a member of his Congregation, and so will not move.

Presbyterianism has suffered, is suffering to-day for lack of that education without which it never flourishes.

I think the Assembly should take the necessary steps to have the Board of Governors convened.

And I would suggest to you, if you will consent to act on the Com. appointed last Assembly, which I beg you to do, that you have Mr. John A. Paterson as your legal adviser.

Trusting your Com. will act,

I am yours truly,

S. J. Macdonald

